

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**THERESA MWIMBWA,
Plaintiff,**

v.

**CSL PLASMA, INC.,
Defendant.**

CIVIL ACTION

NO. 19-4626

ORDER

AND NOW, this 21st day of June, 2021, upon consideration of defendants CSL Plasma, Inc. and CSL Behring, LLC's Motion to Dismiss the Amended Complaint (Document No. 18, filed December 3, 2020) and plaintiff Theresa Mwimbwa's Opposition to Defendants' Motion to Dismiss (Document No. 23, filed December 9, 2020), for the reasons stated in the accompanying Memorandum dated June 21, 2021, **IT IS ORDERED** that defendants' Motion to Dismiss the Amended Complaint is **GRANTED IN PART** and **DENIED IN PART**, as follows:

1. The Motion to Dismiss is **DENIED** with respect to plaintiff's age discrimination claim against CSL Plasma, Inc.;

2. The Motion to Dismiss is **GRANTED** with respect to plaintiff's retaliation and hostile work environment claims against CSL Plasma, Inc. based on age; and

3. The Motion to Dismiss is **DENIED AS MOOT** with respect to plaintiff's claims against CSL Behring, LLC. Plaintiff's claims against CSL Behring, LLC were dismissed with prejudice by Stipulation filed on December 3, 2020.

IT IS FURTHER ORDERED that plaintiff's request to file a second amended complaint is **DENIED**.

IT IS FURTHER ORDERED that the Court will conduct a conference for the purpose of scheduling further proceedings in due course.

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.